

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

FILED  
UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

18 FEB -9 PM 3:40

CLERK-ALBUQUERQUE

In the Matter of the Seizure of  
All Funds Contained in US Bank  
Account Number 1 564 0045 5234  
Held in the Name Pueblo of Pojoaque  
Gaming Funds

DOCKET NO. 18 mr 103

**MOTION TO UNSEAL**  
**APPLICATION AND AFFIDAVIT**  
**TO SEIZE PROPERTY SUBJECT TO FORFEITURE**

THE UNITED STATES OF AMERICA hereby requests that the Application and Affidavit filed in this matter be unsealed, and in support of this request avers as follows:


1. On February 8, 2018, Special Agent Michael Marycz of the Federal Bureau of Investigation filed an Application and Affidavit requesting that the Court issue a warrant to seize property subject to forfeiture, namely, All Funds Contained in US Bank Account Number 1 564 0045 5234 Held in the Name Pueblo of Pojoaque Gaming Funds, pursuant to Title 18, United States Code, Section 1955(d).
2. The Honorable Laura Fashing, United States Magistrate Judge, reviewed the Application and Affidavit and, finding the Application to be supported by probable cause, signed a warrant authorizing the seizure of the property.
3. Special Agent Marycz served the warrant authorizing the seizure of the property upon a branch of US Bank at approximately 1:30pm on February 9, 2018.

4. Service of the warrant upon the bank having now been effectuated, the government moves to unseal the Application and Affidavit submitted in support thereof.
5. Based upon the facts and circumstances of this matter, there is no longer a law enforcement-based need to maintain the Application and Affidavit under seal.
6. The United States makes this motion without derogation of its right to move to seal or to maintain under seal other court filings in other matters.

WHEREFORE the United States respectfully requests that the Court enter an Order unsealing the Application and Affidavit filed in support of the Seizure Warrant.

Respectfully submitted,

JAMES D. TIERNEY  
Acting United States Attorney



Jonathon M. Gerson  
Assistant U.S. Attorney  
District of New Mexico  
P.O. Box 607  
Albuquerque, New Mexico 87103  
(505) 346-7274